

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 16-1518

Paul Gerlich and Erin Furleigh

Appellees

v.

Steven Leath, et al.

Appellants

Student Press Law Center, et al.

Amici on Behalf of Appellee(s)

Appeal from U.S. District Court for the Southern District of Iowa - Des Moines
(4:14-cv-00264-JEG)

ORDER

The court is equally divided in this matter. Therefore, the petition for rehearing *en banc* is denied. The petition for panel rehearing is also denied.

Judge Riley did not participate in the consideration or decision of this matter.

Chief Judge Smith, Judge Wollman, Judge Loken and Judge Shepherd would grant the petition for rehearing *en banc*.

August 09, 2017

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans